FARAD CONTINUATION SHEET.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION No.6730 OF 2006.

Office Notes,Office Memorandum of Coram apperance,Court's Orders & Directions and Registrar's Order.	Court or Judge's Order.

N.G. Halekar, Advocate for the Petitioner.

CORAM:R.M.S.KHANDEPARKAR,J.

DATED:5TH DECEMBER,2006.

1. Heard.

2. The petitioner challenges the concurrent findings arrived at by the Courts below while restoring the complaint for final hearing. The order which has been passed, has been passed in exercise of powers under Section 31(2) of the M.R.T.P. and P.U.L.P. Act,1971 read with Section 5 of the Limitation Act, 1963.

3. Obviously, the discretion has been exercised judiciously while condoning the delay and affording

opportunity to the complainant to putforth the case on merits. Certainly rights of the petitioner to contest the complaint on merits is duly reserved. In these circumstances, the impugned judgments do not disclose any jurisdictional error on the part of the Labour Court or the Industrial Court in restoring the complaint. their Being so, there is no case for interference made out by the petitioner for exercise of powers under Section 227 of the Constitution. Hence the petition is rejected.

[R.M.S.KHANDEPARKAR,J.]